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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional working group
3-5 September 2001

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the initial report of the Slovak Republic concerning the rights covered by articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.49)

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I. GENERAL INFORMATION

(a) Land and people

1. As this is the initial report of the Slovak Republic, please provide the latest information about the country: land, main ethnic and demographic characteristics of the country and its population, as well as the main economic, social and cultural indicators.

(b) General legal framework within which human rights are protected

2. What is the status of the Covenant in the internal legal order? Can it be directly invoked before the courts? The Committee is interested to know case law, if any, in this respect.

3. Please provide information about the current system of state institutions responsible for the protection of human rights and indicate the efforts undertaken to fulfil the United Nations recommendation to create a national committee for human rights in accordance with the Paris Principles of 1991.

4. What is the position of the Government on the recommendation of the Vienna World Conference on Human Rights held in 1993 concerning the elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights that would permit submission of complaints about violations of the rights contained in the Covenant?

5. To what extent have non-governmental human right organizations been involved in the preparation of the report of the Slovak Republic now under consideration?

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 2: Non-discrimination

6. Please clarify whether all foreigners, and particularly refugees, enjoy the same economic, social and cultural rights contained in the Covenant as nationals.

7. What is the human rights situation of ethnic minorities in law and in practice? Please provide updated information on governmental efforts with regard to eliminating all forms of discrimination, particularly against Roma.

Article 3: Equality between men and women

8. The Committee would like to know whether full equality of treatment has been achieved between men and women as set forth in articles 6-15 of the Covenant on Economic, Social and Cultural Rights (parental authority, right to work, equal pay for equal work, access to education).

9. What legal measures have been adopted to combat violence, particularly sexual violence, against women? Please provide more information in this respect.

10. Please describe the achievements of the Coordination Committee on Women's Issues (CCWI) and Equal Opportunity Department (EOD) since their creation.

III. ISSUES RELATING TO THE SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6: The right to work

11. The State party's report states in paragraph 21 that the realization of the right to work in the Slovak Republic is guaranteed by the Constitution (sect. 5, art. 35 (3)) and related legal regulations, in particular the labour code. Nevertheless, unemployment is rising. Please give more information on the job situation and social benefits available to unemployed persons.

12. Please provide updated information on the results achieved in the implementation of projects to facilitate access to employment of the "risk groups" mentioned in paragraph 29 of the report.

Article 7: The right to just and favourable conditions of work

13. The report states in paragraph 35 that current labour law regulation in the Slovak Republic does not differentiate as to gender, its provisions are equally applicable to men and women. What is the actual practice in society? Please also provide information on the actual status of pay scales among rural workers and workers in domestic services in relation to equal pay for equal work.

14. Please indicate why the State party has not ratified the ILO Labour Inspection Convention (No. 81), 1947. Please provide updated information about work related injuries and the exact role and number of labour inspectors in the prevention of labour accidents.

Article 8: Trade union rights

15. Please provide information as to whether there are cases of violence against trade union leaders and more generally on violations of trade union rights and what measures are taken by the State party to remedy this situation.

16. Please provide information on legal and illegal strikes occurring during the last five years in the Slovak Republic.

17. The report states in paragraph 53 that the current legislation of the Slovak Republic on collective bargaining and strikes is not in full compliance with relevant European Union documents. Please indicate whether the Constitution of the Slovak Republic and the Collective Bargaining Act is in compliance with the ILO Right to Organize and Collective Bargaining Convention (No. 98), 1949.

Article 9: The right to social security

18. In view of the fact that there is unemployment insurance, how is the Government dealing with the situation of the increasing number of unemployed workers? Please also provide detailed information on unemployment benefits (para. 55).

19. Please provide more information on the Social Assistance Act No. 195/1998, which guarantees the provision of basic living conditions in the event of material need (para. 85).

20. Please provide more information on the implementation of article 39 of the Constitution of the Slovak Republic, according to which citizens have the right to adequate material provision in old age, in the event of work disability as well as in the event of losing their provider (para. 10).

Article 10: Protection of the family and children

21. Please give information on trafficking in persons, in particular women and young girls, on the territory of the Slovak Republic for the purpose of forced prostitution.

22. In view of article 41 of the Constitution of the Slovak Republic matrimony, parentage and family are protected by law and special protection of children and juveniles is guaranteed (para. 90). What is the actual situation of child maltreatment (child beating and sexual abuse)?

23. Please provide more information on juvenile employment and working conditions. Furthermore, what are the measures undertaken by the government to combat the rising rate of juvenile crimes?

24. Please give statistical information on violence against women. Please indicate what measures, in particular legislative measures for protection and compensation, have been taken by the State party to remedy this situation.

Article 11: The right to an adequate standard of living

25. In view of the past record, some areas of the Slovak Republic were marginalized by under-developed industrialization and were characterized by poverty (para. 106). What is the actual level of poverty in the eastern part of the country where unemployment is higher and where the Roma population is larger? What concrete measures have been undertaken to address the problem of poverty in the eastern part of the country?

26. There is no reference in the report on the provision of adequate housing for the population of the Slovak Republic. Can the Government provide additional information on its policy concerning social welfare housing, possibly concerning the homeless, and the question of forced evictions in the light of the Committee's General Comments Nos. 4 and 7? The Committee would like to obtain concise information concerning the situation of housing for minorities, particularly the Roma.

Article 12: Right to health

27. The report dealing with article 12 of the Covenant says little about the organization of health-care services. Are there any special health-care programmes, particularly in the field of sexual and reproductive health and for the prevention of tobacco and alcohol abuse?

28. What measure are being undertaken to provide persons with disability with medical and rehabilitation services, which assist them to become independent and support their integration into the community?

29. Please provide more information on the National Programme For Health for the twenty-first Century approved by the Government (para.132). Please also provide information on what measures are being taken by the State party to combat pollution to ensure a healthy environment for the population.

30. Are there HIV/AIDS-related problems in the country? To what extent does it affect society? Please indicate the measures undertaken by the Government to combat the disease and also to eradicate ignorance and discrimination against persons affected by this disease.

Articles 13 and 14: Right to education

31. With respect to the quality of education, what measures does the Government intend to undertake to improve teachers' salaries, training and the conditions of their work (para.153)?

32. Please indicate the current school dropout rate, broken down by sex and ethnicity, and Government measures to combat it.

33. Please provide more information on equal opportunity of lifelong education to all citizens (para.155). Does this programme cover persons with disabilities and the elderly?

34. Please provide information on the importance attached to the teaching of human rights in the country's system of education (primary, secondary and tertiary) and especially in the human rights training of teaching staff, judges and members of the armed forces and police.

Article 15: Right to take part in cultural life

35. What percentage of the national budget is allocated to culture?

36. Please indicate whether any difficulties exist or have been encountered with regard to the realization of the right of everyone, including the Hungarian minority and the Roma, to take part in cultural life.

37. Please indicate the difficulties encountered during the transitional period towards a free market economy with regard to the right of every person to take part in cultural life.

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